

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MARK SELIGER, an individual,

Plaintiff,

v.

GROUP NINE MEDIA, INC., a Delaware
Corporation; POPSUGAR INC., a Delaware
Corporation; and DOES 1-10, inclusive,

Defendants.

Civil Action No.: 1:20-cv-02965-JPO

**DECLARATION OF SCOTT ALAN
BURROUGHS, ESQ. IN OPPOSITION
TO DEFENDANTS' MOTION TO
DISMISS**

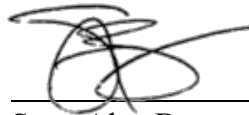
I, Scott Alan Burroughs, declare as follows:

1. I am above eighteen (18) years of age and am competent to give the testimony set forth below. Said testimony is given from my own personal knowledge. I make this declaration in opposition to Defendants' Motion to Dismiss. If called as a witness, I could and would competently testify as set forth below.
2. I am a member of the New York Bar admitted to practice before this Court. I am a shareholder of the law firm Doniger / Burroughs, and am lead counsel for Plaintiff Mark Seliger ("Seliger") in this action.
3. I have attached as **Exhibit 1** a true and correct exhibit reflecting the U.S. Copyright Registration numbers for the works at issue.
4. I have attached as **Exhibit 2** a true and correct copy of exemplars of authorized uses that properly display Seliger's copyright management information ("CMI") as well as exemplars of Defendants' unauthorized uses of select Seliger photographs without the attendant CMI.

I declare under penalty of perjury and the laws of the United States of America that the above is true and correct.

Executed on August 10, 2020 in Brooklyn, New York.

By:



Scott Alan Burroughs
Declarant